

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

TA No.1 of 2020 (O&M)

Date of decision: 31st March, 2022

Nancy Goyal

... Applicant

Versus

Pawandeep Goyal

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Amardeep S. Mann, Advocate for the applicant.

Mr. Om Pal Sharma, Advocate for the respondent.

FATEH DEEP SINGH, J.

The wife Nancy Goyal has come up in this transfer application against respondent husband Pawandeep Goyal for transfer of a petition under Section 9 of the Hindu Marriage Act, 1955 seeking restitution of conjugal rights (Annexure P1) filed by the husband and pending in the Court of Principal Judge, Family Court, Bathinda to a Court of competent jurisdiction at Mansa.

Upon hearing Mr. Amardeep Singh Mann, Advocate representing the applicant wife; Mr. Om Pal Sharma, Advocate on behalf of the respondent husband and on perusal of the records.

Admittedly, the wife is residing at Mansa and the husband at Bathinda and relative distance between the two places is merely half-an-hour by road on personal conveyance, not much higher which could be a

ground of overwhelming inconvenience to the applicant wife. It was the husband who has initiated the petition for restitution of conjugal rights and subsequent thereto the wife has sought maintenance and also preferred to seek transfer of the matter rather than making efforts to join back company of the husband. It needs to be kept in mind that provisions of Section 24 CPC for transfer of the case are to be sparingly used to ward off compelling and extreme circumstances which might come in the way of a party enabling it to get justice. In the present case, no such cause has ever been pleaded or brought to the notice of the Court necessitating indulgence under this very provision. This Court does not feel inclined to show any indulgence. The application being without any merit stands dismissed.

(FATEH DEEP SINGH)
JUDGE

March 31, 2022

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No